

SEC. 1112. TREATMENT OF EMPLOYEE TIPS.

- (a) EMPLOYEE CASH TIPS.—
(1) REPORTING REQUIREMENT NOT CONSIDERED.—
~~Subpara-~~
~~manh~~ (A) of section 45B(b)(l) (relating to excess employer social security tax) is amended by inserting "(without regard to whether such tips are reported under section 6053)" after "section 3121(a)".
(2) TAXES PAID.—Subsection (d) of section 13443 of the ~~26 USC 38~~ note. Revenue Reconciliation Act of 1993 is amended by inserting
with respect to services performed before, on, or after such date" after "1993".
(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect as if included in the amendments made by, and the provisions of, section 13443 of the Revenue Reconciliation Act of 1993.
- (b) TIPS FOR EMPLOYEES DELIVERING FOOD OR BEVERAGES.—
(1) IN GENERAL.—Paragraph (2) of section 45B(b) is amended to read as follows:
"(2) ONLY TIPS RECEIVED FOR FOOD OR BEVERAGES TAKEN INTO ACCOUNT.—In applying paragraph (1), there shall be taken into account only tips received from customers in connection with the providing, delivering, or serving of food or beverages for consumption if the tipping of employees delivering or serving food or beverages by customers is customary."
(2) EFFECTIVE DATE.—The amendment made by paragraph 26 use 45B note.
(1) shall apply to tips received for services performed after December 31, 1996.

SEC. 1113. TREATMENT OF STORAGE OF PRODUCT SAMPLES.

- 26 USC 280A
(3) IN GENERAL.—Paragraph (2) of section 280A(c) is amended by striking "inventory" and inserting "inventory or product samples".
(4) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 1995.

SEC. 1114. TREATMENT OF CERTAIN CHARITABLE RISK POOLS.

- (a) GENERAL RULE.—Section 501 (relating to exemption from tax on corporations, certain trusts, etc.) is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection

(m) the following new subsection:

"(n) CHARITABLE RISK POOLS.—

"(1) IN GENERAL.—For purposes of this title—

"(A) a qualified charitable risk pool shall be treated as an organization organized and operated exclusively for charitable purposes, and

"(B) subsection (m) shall not apply to a qualified charitable risk pool.

"(2) QUALIFIED CHARITABLE RISK POOL.—

For purposes of this subsection, the term "qualified charitable risk pool" means any organization—

"(A) which is organized and operated solely to pool insurable risks of its members (other than risks related to medical malpractice) and to provide information to its members with respect to loss control and risk management;

"(B) which is comprised solely of members that are organizations described in subsection (c)(3) and exempt from tax under subsection (a), and